



**Order under Subsection 74(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-106745-25-VO

In the matter of: B, 309 MANLY ST
MIDLAND ON L4R3C7

Between: BRENDA FREEMAN Landlord

And

CHARNA RECOLLET Tenant

On March 4, 2026 the LTB issued order LTB-L-106745-25 terminating the tenancy and evicting CHARNA RECOLLET (the 'Tenant') because the Tenant failed to pay rent that the Tenant owes.

On March 25, 2026 the Tenant filed a motion to void order LTB-L-106745-25 because before the eviction order became enforceable, the Tenant paid BRENDA FREEMAN (the 'Landlord') the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

Determinations:

1. The Tenant filed a declaration or affidavit stating that the full amount required to void order LTB-L-106745-25 was paid to the Landlord before the eviction order became enforceable.
2. The hearing for LTB-L-106745-25 took place online on February 25, 2026.
3. The Tenant provided supporting documentation that they paid \$1,100.00 to the Landlord on February 27, 2026. Rent is \$850.00/month and is due on the 1st of the month.
4. The order was issued on March 4, 2026, and stated that to void the order, the Tenant would be required to pay \$1,586.00 on or before March 15, 2026.
5. Pursuant to section 74(2) of the Act, an application based on a notice of termination under section 59 of the Act (arrears) shall be discontinued if, before the Board issues the eviction order, the Board is satisfied that the Tenant has paid the arrears owing at the time and the landlord's application fee.
6. Based on the numbers before me, the Tenant would have been in arrears of \$736.00 up to February 28, 2026, including the filing fee. This means that as of February 27, 2026, the Tenant had met the burden pursuant to section 74(2) of the Act.

7. The issue before me is that due to the relatively quick turnaround of hearing date and order issuance, and the fact that both occurred at the time of the change of the month, it would not be reasonable to expect that the LTB would be aware of the payment on February 27, 2026.
8. Conversely, pursuant to section 209(1) of the Act, an order of the Board is considered final and binding. Since the order has been issued, the order cannot be “discontinued” pursuant to section 74(2) of the Act.
9. However, I find that it would be an unnecessary strain on both Board resources and the parties if this matter were to be put under the scrutiny of a review when the same outcome could be reached by granting the motion to void pursuant to section 74(6) of the Act.
10. Since it is an ex parte, the rights of the Landlord to challenge this order will not be extinguished as they will have the option to file a motion to set aside the ex parte order.
11. The Tenant's total payment to the Landlord is at least \$736.00, the amount required to void order LTB-L-106745-25 if the payment was to be made on February 28, 2026.

It is ordered that:

1. The motion to void order LTB-L-106745-25 is granted.
2. Order LTB-L-106745-25 is void and cannot be enforced by the Landlord.

March 26, 2026
Date Issued

Robert Brown
Vice Chair, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

The Landlord has until April 5, 2026 to file a motion with the LTB to set aside this order. If the Landlord files the motion by April 5, 2026 the LTB will schedule a hearing.